

REMARKS

Claims 109-120 are pending and claims 1-108 and 121-171 are withdrawn. Applicants have amended claim 109 to specify the hemolytic disease paroxysmal nocturnal hemoglobinuria. The amended claims are fully supported by the specification (e.g., page 1, lines 8-11; page 4, lines 13-23 and Example 1) and originally filed claims. Accordingly, no new matter has been introduced.

Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

DETAILED ACTION**Restriction Requirement**

1-2. The Examiner has acknowledged Applicants' election of Group VI (claims 109-120) in the Response filed on November 24, 2006.

Claim Rejections under 35 U.S.C. § 103

3. Claims 109-120 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Vakeva et al. (Circulation [1998] 97:2259-2267) in view of Reiter et al. (Nature Medicine [2002] 8(12):1383-1389) and Fitch et al. (Circulation [1999] 100:2499-2506) as evidenced by Claque et al. (Biomed. Instrum. Technol [1995] 29(5):419-424). The Examiner alleges that it would have been prima facie obvious to a person having ordinary skill in the art at the time the invention was made to treat subjects experiencing hemolytic disease as a result of coronary bypass surgery for nitric oxide deficiency using the anti-C5 antibody h5G1.1-scFc. Applicants respectfully traverse this rejection.

Solely in an effort to expedite prosecution of the application, claim 109 has been amended to specify the hemolytic disease paroxysmal nocturnal hemoglobinuria (see page 1, lines 8-11; page 4, lines 13-23 and Example 1). The claim amendment is believed to obviate the rejection of record as none of the cited art is concerned with paroxysmal nocturnal hemoglobinuria. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. If an additional fee is due, please charge our Deposit Account No. 18-1945, under Order No. **ALXN-P01-114** from which the undersigned is authorized to draw.

Dated: *5/7/2007*

Respectfully submitted,

Reg No. 46,778

By *[Signature]*
for Anita Varma

Registration No.: 43,221

FISH & NEAVE IP GROUP, ROPES & GRAY

LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant